

that the waters in the danger zone are subject to impact by rounds missing or ricocheting off the impact berm and should not be entered until the flags are lowered.

(4) Wherever possible, the enforcing agency will warn the public of the contemplated times of firing and the areas involved two days in advance of the scheduled date, through the public press and the U.S. Coast Guard. The danger zone may, however, be closed without advance notice.

(5) [Reserved]

(6) The regulations in this section shall be enforced by the Commander, U.S. Naval Training Center, Great Lakes, Illinois, and such agencies as he may designate.

[13 FR 9560, Dec. 31, 1948. Redesignated at 14 FR 4904, Aug. 9, 1949, and amended at 28 FR 319, Jan. 11, 1963; 45 FR 13072, Feb. 28, 1980. Redesignated at 50 FR 42696, Oct. 22, 1985, as amended at 62 FR 17556, Apr. 10, 1997]

**§ 334.840 Waters of Lake Michigan south of Northerly Island at entrance to Burnham Park Yacht Harbor, Chicago, Ill.; danger zone adjacent to airport on Northerly Island.**

(a) *Danger zone*—(1) *Zone A*. Beginning at a point 250 feet west of the center line of the runway at the south end of the air strip on Northerly Island; thence 183°, 500 feet; thence 90°, 600 feet; and thence northerly to a point 250 feet east of the center line of the runway at the south end of said air strip. During the navigation season, the southeast and southwest corners of Zone A will be marked with spar buoys colored and lettered as prescribed by the U.S. Coast Guard.

(2) *Zone B*. Beginning at the southwest corner of Zone A; thence 183°, 500 feet; thence 90°, 700 feet; thence northerly to the southeast corner of Zone A; and thence 270° to the point of beginning. During the navigation season, the southeast and southwest corners of Zone B will be marked with spar buoys colored and lettered as prescribed by the U.S. Coast Guard.

(b) *Regulations*. (1) During daylight hours (from one-half hour before sunrise to one-half hour after sunset), and when the airport on Northerly Island is in operation, no vessel or other watercraft any part of which extends more than 15 feet above the water sur-

face shall enter or remain in Zone A, and no vessel or other watercraft any part of which extends 30 feet or more above the water surface shall enter or remain in Zone B.

(2) When the airport is in operation a red ball, at least three feet in diameter, shall be continuously displayed at the northeast and northwest corners of Zone A. These balls shall not be displayed when the airport is not in operation.

[12 FR 6665, Oct. 9, 1947. Redesignated at 14 FR 4904, Aug. 9, 1949, and amended at 15 FR 5022, Aug. 4, 1950; 36 FR 5911, Mar. 31, 1971. Redesignated at 50 FR 42696, Oct. 22, 1985]

**§ 334.850 Lake Erie, west end, north of Erie Ordnance Depot, Lacarne, Ohio.**

(a) The danger zone: Consists of the waters of Lake Erie within:

(1) *Danger Area I*. The sector of a circle with a radius of 6,500 yards centered at latitude 41°32'30" N., longitude 83°01'00" W., and intersecting the southwest boundary of Area II at latitude 41°35'00" N., longitude 83°03'22" W., and the southeast boundary of Area II at latitude 41°34'20" N., longitude 82°57'10" W.

(2) *Danger Area II (Includes Area I)*. The area bounded as follows: Beginning at latitude 41°32'30" N., longitude 83°01'00" W.; thence to latitude 41°35'00" N., longitude 83°03'22" W.; thence to latitude 41°36'00" N., longitude 83°03'24" W.; thence to latitude 41°41'30" N., longitude 83°07'30" W.; thence to latitude 41°41'30" N., longitude 83°00'00" W.; thence to latitude 41°35'40" N., longitude 82°54'50" W.; and thence to the point of beginning.

(b) *Types of firing*—(1) *Danger Area I*. Small arms impact area.

(2) *Danger Area II*. Ground-based artillery, antiaircraft artillery and automatic weapons impact area.

(c) Authorized dates and hours of firing:

(1) *Danger Area I*. 6 a.m. to 6 p.m., e.s.t./e.d.t., daily; actual firing dates and hours within the authorized period to be announced in advance in special firing notices.

(2) *Danger Area II*. 8 a.m. to 5 p.m., e.s.t./e.d.t., daily except on Saturdays, Sundays, and holidays; actual firing

dates and hours scheduled within authorized period to be announced in advance in special firing notices.

(d) *Restrictions.* (1) No person or vessel shall enter or remain in a danger zone during a scheduled firing period announced in a special firing notice unless specific permission is granted in each instance by a representative of the enforcing officer.

(2) The danger areas within the danger zone shall be open to the public for navigation, fishing and other public use when firing and/or bombing is not scheduled.

(e) *Enforcing agencies.* The regulations in this section shall be enforced for the respective danger areas by the following commanders and such agencies as each may designate for his assigned areas. He will be responsible for proving the prescribed control, signals, and special firing notices.

(1) *Danger Area I.* Adjutant General, State of Ohio.

(2) *Danger Area II.* Adjutant General, State of Ohio.

(f) *Control and signals*—(1) *Danger Area I.* When firing into Area I, red flags will be flown from the safety tower at Camp Perry, and from flag poles in the butts of the ranges being used.

(2) *Danger Area II.* During all types of firing into Area II, red flags will be displayed, one from the safety tower at Camp Perry and one from the safety tower at the Erie Proof Front. During firing into Area II, patrol boats will police and maintain surveillance of the area, and will be in constant radio communication with the shore station controlling the firing.

(3) [Reserved]

(4) The appropriate enforcing officer has authority to suspend any scheduled firing for reasonable periods during regattas and immediately after fishing nets are destroyed or dislocated by severe storms.

(5) The special firing notices which will include schedules of use will be published by the enforcing officer indicated in paragraph (e) of this section, in sufficient time to permit circularization to interested parties and posting on the bulletin boards of post offices in surrounding localities. Special notices will also be furnished the

District Engineer, Corps of Engineers, Detroit, Mich.; the Commander, Ninth Coast Guard District, Cleveland, Ohio; the Regional Manager, Federal Aviation Administration, Chicago, Ill.; and each of the enforcing agencies listed in paragraph (e) of this section. Users of the waterway shall familiarize themselves with the current special firing notices. If in doubt, inquiry should be made to the enforcing officer indicated in paragraph (e) of this section.

(6) Agencies desiring to use the areas shall present their requirements to the respective enforcing officer who is responsible for, and is granted authority to, coordinate the firing and established priorities, for the using agencies.

(g) *Fishing permits.* Fishermen desiring to set fixed nets within the danger zone are required in every instance to have written permits. Permits for placing nets within Areas I and II may be obtained by written application to the Adjutant General, State of Ohio. Applicants for permits must state the location at which they desire to set fixed nets and the period of time which they desire the permit to cover.

(h) *Injurious chemicals.* No phosphorus or other poisonous chemicals injurious to wild fowl or fish will be discharged into the waters of the areas.

(i) The regulations in this section shall be reviewed annually by the Department of the Army to determine whether further limitations of the danger zone shall be considered.

[35 FR 17178, Nov. 7, 1970, as amended at 37 FR 20026, Sept. 23, 1972. Redesignated at 50 FR 42696, Oct. 22, 1985, as amended at 62 FR 17556, Apr. 10, 1997]

**§ 334.860 San Diego Bay, Calif., Naval Amphibious Base; restricted area.**

(a) *The Area.* The water of the Pacific Ocean in Middle San Diego Bay in an area extending from the northern and eastern boundary of the Naval Amphibious Base about 0.1 nautical miles and 0.6 nautical miles from the southern shoreline and basically outlined as follows:

Station	Latitude	Longitude
1	32°40'33.0" N	117°10'02.4" W
2	32°40'34.7" N	117°09'54.0" W
3	32°40'46.0" N	117°09'44.2" W
4	32°41'00.0" N	117°09'24.6" W
5	32°40'20.0" N	117°08'36.7" W